

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

CANTRELL NIMOY SASH, #1916323

§

VS.

§

CIVIL ACTION NO. 6:18cv500

DIRECTOR, TDCJ-CID

§

ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

Petitioner Cantrell Nimoy Sash, a prisoner currently confined within the Texas Department of Criminal Justice (TDCJ), proceeding *pro se* and *in forma pauperis*, filed this habeas action challenging a criminal conviction stemming from Smith County. The case was referred to United States Magistrate Judge, the Honorable K. Nicole Mitchell, for findings of fact, conclusions of law, and recommendations for the disposition of the petition.

On March 15, 2021, Judge Mitchell issued a Report, (Dkt. #24), recommending that Petitioner's habeas petition be denied and the case be dismissed, with prejudice, as time-barred. She also recommended that Petitioner be denied a certificate of appealability *sua sponte*. Petitioner has filed timely objections, (Dkt. #25).

The court has conducted a careful *de novo* review of the record and the Magistrate Judge's proposed findings and recommendations. *See* 28 U.S.C. §636(b)(1) (District Judge shall "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). Upon such *de novo* review, the court has determined that the Report of the United States Magistrate Judge is correct and Petitioner's objections are without merit. Accordingly, it is

**ORDERED** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. #24), is **ADOPTED** as the opinion of the court. Petitioner's objections, (Dkt. #25), are **OVERRULED**. It is also

**ORDERED** that the above-styled habeas proceeding is **DISMISSED**, with prejudice, as time-barred. Petitioner is also **DENIED** a certificate of appealability *sua sponte*. Finally, it is

**ORDERED** that any and all motions which may be pending in this civil action are hereby **DENIED** as moot.

**SIGNED this 6th day of April, 2021.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE